

Translation

PATENT COOPERATION TREATY

PCT/EP2004/000973



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference K 61 066/7nb	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP2004/000973	International filing date (day/month/year) 03 February 2004 (03.02.2004)	Priority date (day/month/year) 11 February 2003 (11.02.2003)
International Patent Classification (IPC) or national classification and IPC D21H 21/40, 19/82		
Applicant GIESECKE & DEVRIENT GMBH		

<p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>7</u> sheets, including this cover sheet.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of _____ sheets.</p>	
<p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the report</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input checked="" type="checkbox"/> Certain documents cited</p> <p>VII <input checked="" type="checkbox"/> Certain defects in the international application</p> <p>VIII <input checked="" type="checkbox"/> Certain observations on the international application</p>	

Date of submission of the demand 10 December 2004 (10.12.2004)	Date of completion of this report 29 June 2005 (29.06.2005)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

BEST AVAILABLE COPY

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP2004/000973

I. Basis of the report

1. With regard to the elements of the international application:*

- ☒ the international application as originally filed
- ☒ the description:
pages _____ 1-16 _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☒ the claims:
pages _____ 1-47 _____, as originally filed
pages _____, as amended (together with any statement under Article 19
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☒ the drawings:
pages _____ 1/2-2/2 _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____
- ☐ the sequence listing part of the description:
pages _____, as originally filed
pages _____, filed with the demand
pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

BEST AVAILABLE COPY

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/000973

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	2-26, 28-47	YES
	Claims	1, 27	NO
Inventive step (IS)	Claims		YES
	Claims	1-27	NO
Industrial applicability (IA)	Claims	1-27	YES
	Claims		NO
2. Citations and explanations (Rule 70.7)			
1.1	<p>The present invention concerns a security paper for producing documents of value, comprising a flat substrate that is provided at least partially with a dirt-repelling protective layer in order to increase the service life and circulability of the paper. The protective layer comprises at least two coating films, the first, lower, coating film being applied to the underlying substrate and the second, upper, coating film protecting the substrate from physical and chemical influences.</p> <p>Reference is also made to the observations in Box VIII.</p>		
1.2	<p>A security paper that is at least partially provided with a dirt-repelling layer that consists of at least two coating films is, however, already known from documents D1: US-A-5 820 971, D2: US2002/127339, D3: US-A-5 985 078, D4: US-A-6 491 324 and D5: DE-A-101 24 630 (see D1, claims 1-34; see D2, claims 1-6; see D3, claims 1-6; see D4, claims 1-41, figure 8, paragraphs [0055] to [0057]; see D5, claims 1-20). The requirements of</p>		

BEST AVAILABLE COPY

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/000973

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
-----------	---

PCT Article 33(2) are therefore not satisfied in respect of the disclosures of D1 to D5.

- 1.3 The individual features of the dependent claims currently appear to contain no novel or inventive subject matter with respect to the disclosures of D1 to D5. A combination of those features could, however, satisfy the requirements of PCT Article 33(3).

BEST AVAILABLE COPY

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/000973

Box No. VI Certain documents cited

1. Certain published documents (Rule 70.10)

Application No. Patent No.	Publication date (day/month/year)	Filing date (day/month/year)	Priority date (valid claim) (day/month/year)
US-A-6 592 972	15.07.2003	17.05.2000	21.05.1999

2. Non-written disclosures (Rule 70.9)

Kind of non-written disclosure	Date of non-written disclosure (day/month/year)	Date of written disclosure referring to non-written disclosure (day/month/year)
--------------------------------	--	---

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/000973

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

- 3.1 D1, D2, D3, D4, D5 and/or D6 should also be acknowledged as closest prior art in the description (PCT Rule 5.1(a)(i)-(vi)).

BEST AVAILABLE COPY

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

- 4.1 The wording "physically drying" in claims 1 and 27 is not clearly defined, since the exact meaning of this wording is unclear (PCT Article 6). According to the description, the upper coating film is hardened in the end drier by being irradiated with intensive UV light and the protective layer is additionally dried using infrared radiation and hot air, i.e. the upper coating film is also physically dried (see page 16, last paragraph).

It appears as if the above wording should be clarified using the feature combination of the present claims 5 to 7.

BEST AVAILABLE COPY